

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 18-0655.01 Christy Chase x2008

**HOUSE BILL 18-1282**

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**HOUSE SPONSORSHIP**

**Lontine and Sias,**

**SENATE SPONSORSHIP**

**Smallwood and Kefalas,**

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**House Committees**

Health, Insurance, & Environment

**Senate Committees**

Health & Human Services

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**A BILL FOR AN ACT**

101 **CONCERNING A REQUIREMENT THAT A HEALTH CARE PROVIDER**  
102 **INCLUDE CERTAIN IDENTIFYING INFORMATION ON ALL CLAIMS**  
103 **FOR REIMBURSEMENT FOR HEALTH CARE SERVICES.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

**Section 2** of the bill requires an off-campus location of a hospital to apply for, obtain, and use on claims for reimbursement for health care services provided at the off-campus location a unique national provider identifier, commonly referred to as "NPI". The off-campus location's NPI must be used on all claims related to health care services provided at that

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

SENATE  
3rd Reading Unamended  
April 5, 2018

SENATE  
Amended 2nd Reading  
April 4, 2018

HOUSE  
3rd Reading Unamended  
March 26, 2018

HOUSE  
2nd Reading Unamended  
March 23, 2018

location, regardless of whether the claim is filed through the hospital's central billing or claims department or through a health care clearinghouse.

**Section 3** requires all medicaid providers that are entities to obtain and use a unique NPI for each site at which they deliver services and for each provider type that the department of health care policy and financing has specified. Entity medicaid providers must use on all claims the unique NPI that identifies both the site where the services were provided and the provider type rendering the services, regardless of whether the claim is filed through the entity's central billing or claims department or through a health care clearinghouse.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 hereby finds and declares that:

4 (a) Health care spending accounts for over 17% of the United  
5 States economy;

6 (b) Health care costs in Colorado continue to increase, and  
7 spending on health care is growing faster than the economy as a whole;

8 (c) More accountability for and transparency in health care system  
9 costs is needed so that consumers can make better health care decisions  
10 and policymakers can find ways to address rising health care costs;

11 (d) In Colorado, 39 cents of every dollar spent on health care is  
12 for hospital care;

13 (e) Hospitals and other organization health care providers have  
14 expanded to create a number of off-campus or separate physical locations  
15 for delivering health care ("off-campus locations"), which include  
16 freestanding emergency departments. In 2014, there were 15 freestanding  
17 emergency departments in operation in Colorado, and, as of 2018, there  
18 are 50 freestanding emergency departments operating in Colorado.

19 (f) When consumers seek nonemergency care for common

1 conditions at freestanding emergency departments, delivery of that level  
2 of care in that setting can increase costs in the overall health care system;

3 (g) Coloradans deserve to have information about the costs  
4 associated with seeking services at off-campus locations, including  
5 freestanding emergency departments;

6 (h) In many cases, off-campus locations share the same identifier  
7 for billing purposes as their affiliated hospital or organization health care  
8 provider, and because the costs associated with care delivered at  
9 off-campus locations are not transparent, it may be impossible for  
10 consumers to understand the basis for charges and for policymakers to  
11 evaluate the effects of these costs on overall system costs;

12 (i) Under federal regulations, an organization health care provider  
13 that has separate physical locations, referred to as "subparts" of the  
14 organization provider, may obtain a unique identifier for each subpart,  
15 which facilitates identifying the types of health care services and the  
16 location where the services are provided; and

17 (j) It is therefore the intent of the General Assembly, through the  
18 passage of this act, to require each off-campus location of a hospital and  
19 each subpart of an organization health care provider to have a unique  
20 identification number so that the costs associated with those facilities are  
21 transparent and accountable.

22 **SECTION 2.** In Colorado Revised Statutes, **add** 25-3-118 as  
23 follows:

24 **25-3-118. Hospital off-campus location - obtain and use unique**  
25 **NPI - definitions.** (1) AN OFF-CAMPUS LOCATION OF A HOSPITAL MUST  
26 APPLY FOR, OBTAIN, AND USE ON ALL CLAIMS FOR REIMBURSEMENT OR  
27 PAYMENT FOR HEALTH CARE SERVICES PROVIDED AT THE OFF-CAMPUS

1 LOCATION SUBMITTED ON OR AFTER JANUARY 1, 2020, A UNIQUE NPI  
2 THAT IS SEPARATE AND DISTINCT FROM THE HOSPITAL'S NPI. THE  
3 OFF-CAMPUS LOCATION'S UNIQUE NPI MUST BE INCLUDED ON ANY CLAIM  
4 FOR REIMBURSEMENT OR PAYMENT FOR HEALTH CARE SERVICES PROVIDED  
5 AT THE OFF-CAMPUS LOCATION, REGARDLESS OF WHETHER THE CLAIM IS  
6 FILED OR SUBMITTED BY OR THROUGH A CENTRAL OFFICE OF THE HOSPITAL  
7 OR A HEALTH CARE CLEARINGHOUSE.

8 (2) AS USED IN THIS SECTION:

9 (a) "HEALTH CARE CLEARINGHOUSE" HAS THE SAME MEANING AS  
10 SET FORTH IN 45 CFR 160.103.

11 (b) "NPI" OR "NATIONAL PROVIDER IDENTIFIER" MEANS THE  
12 STANDARD, UNIQUE HEALTH IDENTIFIER FOR HEALTH CARE PROVIDERS  
13 THAT IS ISSUED BY THE NATIONAL PROVIDER SYSTEM IN ACCORDANCE  
14 WITH 45 CFR PART 162.

15 (c) "OFF-CAMPUS LOCATION" MEANS A FACILITY:

16 (I) WHOSE OPERATIONS ARE DIRECTLY OR INDIRECTLY OWNED OR  
17 CONTROLLED BY, IN WHOLE OR IN PART, OR AFFILIATED WITH A HOSPITAL,  
18 REGARDLESS OF WHETHER THE OPERATIONS ARE UNDER THE SAME  
19 GOVERNING BODY AS THE HOSPITAL;

20 (II) THAT IS LOCATED MORE THAN TWO HUNDRED FIFTY YARDS  
21 FROM THE HOSPITAL'S MAIN CAMPUS;

22 (III) THAT PROVIDES SERVICES THAT ARE ORGANIZATIONALLY AND  
23 FUNCTIONALLY INTEGRATED WITH THE HOSPITAL; AND

24 (IV) THAT IS AN OUTPATIENT FACILITY PROVIDING PREVENTIVE,  
25 DIAGNOSTIC, TREATMENT, OR EMERGENCY SERVICES.

26 **SECTION 3.** In Colorado Revised Statutes, **add** 25.5-4-419 as  
27 follows:

1           **25.5-4-419. Providers to obtain unique NPI - service site -**  
2 **provider type - definitions.** (1) AS USED IN THIS SECTION:

3           (a) "HEALTH CARE CLEARINGHOUSE" HAS THE SAME MEANING AS  
4 SET FORTH IN 45 CFR 160.103.

5           (b) "NPI" OR "NATIONAL PROVIDER IDENTIFIER" MEANS THE  
6 STANDARD, UNIQUE HEALTH IDENTIFIER FOR HEALTH CARE PROVIDERS  
7 THAT IS ISSUED BY THE NATIONAL PROVIDER SYSTEM IN ACCORDANCE  
8 WITH 45 CFR PART 162.

9           (c) "OFF-CAMPUS LOCATION" MEANS A FACILITY:

10           (I) WHOSE OPERATIONS ARE DIRECTLY OR INDIRECTLY OWNED OR  
11 CONTROLLED BY, IN WHOLE OR IN PART, OR AFFILIATED WITH A HOSPITAL,  
12 REGARDLESS OF WHETHER THE OPERATIONS ARE UNDER THE SAME  
13 GOVERNING BODY AS THE HOSPITAL;

14           (II) THAT IS LOCATED MORE THAN TWO HUNDRED FIFTY YARDS  
15 FROM THE HOSPITAL'S MAIN CAMPUS;

16           (III) THAT PROVIDES SERVICES THAT ARE ORGANIZATIONALLY AND  
17 FUNCTIONALLY INTEGRATED WITH THE HOSPITAL; AND

18           (IV) THAT IS AN OUTPATIENT FACILITY PROVIDING PREVENTIVE,  
19 DIAGNOSTIC, TREATMENT, OR EMERGENCY SERVICES.

20           (d) "ORGANIZATION HEALTH CARE PROVIDER" MEANS A PROVIDER  
21 THAT IS NOT AN INDIVIDUAL AND INCLUDES A HOSPITAL.

22           (e) "SUBPART" HAS THE SAME MEANING AS THAT TERM IS USED IN  
23 45 CFR PART 162 AND MEANS A COMPONENT OR SEPARATE PHYSICAL  
24 LOCATION OF AN ORGANIZATION HEALTH CARE PROVIDER THAT MAY BE  
25 SEPARATELY LICENSED OR CERTIFIED BY THE STATE.

26           (2) (a) EACH ORGANIZATION HEALTH CARE PROVIDER AND EACH  
27 SUBPART THAT IS REQUIRED OR ELIGIBLE TO OBTAIN AN NPI PURSUANT TO

1 45 CFR 162.410 MUST APPLY FOR, OBTAIN, AND USE ON ALL CLAIMS FOR  
2 PAYMENT FOR MEDICAL CARE, SERVICES, OR GOODS AUTHORIZED UNDER  
3 THIS ARTICLE 4 AND ARTICLES 5 AND 6 OF THIS TITLE 25.5 A UNIQUE NPI  
4 FOR EACH SITE AT WHICH THE ORGANIZATION HEALTH CARE PROVIDER OR  
5 ITS SUBPARTS DELIVER MEDICAL CARE, SERVICES, OR GOODS.

6 (b) EACH ORGANIZATION HEALTH CARE PROVIDER AND EACH  
7 SUBPART THAT IS REQUIRED OR ELIGIBLE TO OBTAIN AN NPI PURSUANT TO  
8 45 CFR 162.410 MUST APPLY FOR, OBTAIN, AND USE ON ALL CLAIMS FOR  
9 PAYMENT FOR MEDICAL CARE, SERVICES, OR GOODS AUTHORIZED UNDER  
10 THIS ARTICLE 4 AND ARTICLES 5 AND 6 OF THIS TITLE 25.5 A UNIQUE NPI  
11 FOR EACH PROVIDER TYPE, AS SPECIFIED BY THE STATE DEPARTMENT,  
12 UNDER WHICH THE ORGANIZATION HEALTH CARE PROVIDER OR ITS  
13 SUBPARTS DELIVER MEDICAL CARE, SERVICES, OR GOODS.

14 (c) AN ORGANIZATION HEALTH CARE PROVIDER OR SUBPART  
15 SUBMITTING A CLAIM FOR PAYMENT FOR MEDICAL CARE, SERVICES, OR  
16 GOODS RENDERED UNDER THIS ARTICLE 4 OR ARTICLE 5 OR 6 OF THIS TITLE  
17 25.5 SHALL INCLUDE ON THE CLAIM THE UNIQUE NPI THAT IDENTIFIES  
18 BOTH THE SITE WHERE THE MEDICAL CARE, SERVICES, OR GOODS WERE  
19 PROVIDED AND THE PROVIDER TYPE, AS SPECIFIED BY THE STATE  
20 DEPARTMENT, REGARDLESS OF WHETHER THE CLAIM IS FILED OR  
21 SUBMITTED BY OR THROUGH A CENTRAL OFFICE OF THE ORGANIZATION  
22 HEALTH CARE PROVIDER OR A HEALTH CARE CLEARINGHOUSE.

23 (3) (a) FOR AN ORGANIZATION HEALTH CARE PROVIDER THAT IS A  
24 LICENSED OR CERTIFIED HOSPITAL CONTRACTING FOR SERVICES UNDER  
25 THIS ARTICLE 4 AND ARTICLES 5 AND 6 OF THIS TITLE 25.5, THE HOSPITAL  
26 SHALL OBTAIN AND USE A UNIQUE, SEPARATE, AND DISTINCT NPI FOR:

27 (I) ITS MAIN CAMPUS;

1 (II) EACH OFF-CAMPUS LOCATION OF THE HOSPITAL; AND

2 (III) EACH PROVIDER TYPE, IF SPECIFIED BY THE STATE  
3 DEPARTMENT, WHEN THE HOSPITAL DELIVERS MEDICAL CARE, SERVICES,  
4 OR GOODS AT EITHER THE HOSPITAL'S MAIN CAMPUS OR AT AN  
5 OFF-CAMPUS LOCATION.

6 (b) A HOSPITAL SUBMITTING A CLAIM FOR PAYMENT FOR MEDICAL  
7 CARE, SERVICES, OR GOODS RENDERED UNDER THIS ARTICLE 4 OR ARTICLE  
8 5 OR 6 OF THIS TITLE 25.5 SHALL INCLUDE ON THE CLAIM THE UNIQUE NPI  
9 THAT IDENTIFIES BOTH THE SITE WHERE THE MEDICAL CARE, SERVICES, OR  
10 GOODS WERE PROVIDED AND THE PROVIDER TYPE, AS SPECIFIED BY THE  
11 STATE DEPARTMENT, REGARDLESS OF WHETHER THE CLAIM IS FILED OR  
12 SUBMITTED BY OR THROUGH A CENTRAL OFFICE OF THE HOSPITAL OR A  
13 HEALTH CARE CLEARINGHOUSE.

14 (4) (a) STARTING JANUARY 1, 2020, AN ORGANIZATION HEALTH  
15 CARE PROVIDER APPLYING TO ENROLL AS A NEW PROVIDER UNDER THIS  
16 ARTICLE 4 AND ARTICLES 5 AND 6 OF THIS TITLE 25.5 SHALL DEMONSTRATE  
17 THAT IT HAS OBTAINED ONE OR MORE NPIS AS REQUIRED BY THIS SECTION,  
18 AND UPON ENROLLMENT, SHALL USE ITS UNIQUE NPI ON EVERY CLAIM FOR  
19 PAYMENT IN THE MANNER REQUIRED BY THIS SECTION.

20 (b) STARTING JANUARY 1, 2021, AN ORGANIZATION HEALTH CARE  
21 PROVIDER ENROLLED AND APPLYING FOR REVALIDATION AS A PROVIDER  
22 UNDER THIS ARTICLE 4 AND ARTICLES 5 AND 6 OF THIS TITLE 25.5 SHALL  
23 DEMONSTRATE THAT IT HAS OBTAINED ONE OR MORE NPIS AS REQUIRED  
24 BY THIS SECTION AS A CONDITION OF RECEIVING REVALIDATION, AND UPON  
25 RECEIVING REVALIDATION AS A PROVIDER, SHALL USE ITS UNIQUE NPI ON  
26 EVERY CLAIM FOR PAYMENT IN THE MANNER REQUIRED BY THIS SECTION.

27 **SECTION 4. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the  
2 ninety-day period after final adjournment of the general assembly (August  
3 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
4 referendum petition is filed pursuant to section 1 (3) of article V of the  
5 state constitution against this act or an item, section, or part of this act  
6 within such period, then the act, item, section, or part will not take effect  
7 unless approved by the people at the general election to be held in  
8 November 2018 and, in such case, will take effect on the date of the  
9 official declaration of the vote thereon by the governor.